



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/6/2004, by Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

20 ILCS 505/4b	
225 ILCS 10/2	from Ch. 23, par. 2212
225 ILCS 10/2.09	from Ch. 23, par. 2212.09
225 ILCS 10/2.24 new	

Amends the Children and Family Services Act. Defines "youth transitional housing program". Amends the Child Care Act of 1969. Changes the definition of "child care center" and adds a definition for "partially exempt child care program".

LRB093 16634 AMC 46939 b

1 AN ACT concerning child care.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Children and Family Services Act is amended
5 by changing Section 4b as follows:

6 (20 ILCS 505/4b)

7 Sec. 4b. Youth transitional housing programs. The
8 Department may license youth transitional housing programs.
9 For the purposes of this Section, "youth transitional housing
10 program" means a program that provides ~~to provide services,~~
11 ~~shelter,~~ or housing to homeless minors who are at least 16
12 years of age but less than 18 years of age and who are granted
13 partial emancipation under the Emancipation of Minors Act. The
14 Department shall adopt rules governing the licensure of those
15 programs.

16 (Source: P.A. 93-105, eff. 7-8-03.)

17 Section 10. The Child Care Act of 1969 is amended by
18 changing Sections 2 and 2.09 and by adding Section 2.24 as
19 follows:

20 (225 ILCS 10/2) (from Ch. 23, par. 2212)

21 Sec. 2. Terms used in this Act, unless the context
22 otherwise requires, have the meanings ascribed to them in the
23 following Sections ~~Sections 2.01 through 2.21.~~

24 (Source: P.A. 86-278; 86-386.)

25 (225 ILCS 10/2.09) (from Ch. 23, par. 2212.09)

26 Sec. 2.09. "Day care center" means any child care facility
27 which regularly provides day care for less than 24 hours per
28 day for (1) more than 8 children in a family home, or (2) more
29 than 3 children in a facility other than a family home,

1 including senior citizen buildings. The term does not include
2 (a) programs operated by ~~(i)~~ public or private elementary
3 school systems or secondary level school units or institutions
4 of higher learning that serve children who shall have attained
5 the age of 3 years ~~or (ii) private entities on the grounds of~~
6 ~~public or private elementary or secondary schools and that~~
7 ~~serve children who have attained the age of 3 years, except~~
8 ~~that this exception applies only to the facility and not to the~~
9 ~~private entities' personnel operating the program; (a-1)~~
10 partially exempt child care programs as defined in Section
11 2.24; (b) programs or that portion of the program which serves
12 children who shall have attained the age of 3 years and which
13 are recognized by the State Board of Education; (c) educational
14 program or programs serving children who shall have attained
15 the age of 3 years and which are operated by a school which is
16 registered with the State Board of Education and which is
17 recognized or accredited by a recognized national or multistate
18 educational organization or association which regularly
19 recognizes or accredits schools; (d) programs which
20 exclusively serve or that portion of the program which serves
21 handicapped children who shall have attained the age of 3 years
22 but are less than 21 years of age and which are registered and
23 approved as meeting standards of the State Board of Education
24 and applicable fire marshal standards; (e) facilities operated
25 in connection with a shopping center or service, religious
26 services, or other similar facility, where transient children
27 are cared for temporarily while parents or custodians of the
28 children are occupied on the premises and readily available;
29 (f) any type of day care center that is conducted on federal
30 government premises; (g) special activities programs,
31 including athletics, crafts instruction and similar activities
32 conducted on an organized and periodic basis by civic,
33 charitable and governmental organizations; (h) part day child
34 care facilities, as defined in Section 2.10 of this Act; or (i)
35 programs or that portion of the program which (1) serves
36 children who shall have attained the age of 3 years, (2) is

1 operated by churches or religious institutions as described in
2 Section 501 (c) (3) of the federal Internal Revenue Code, (3)
3 receives no governmental aid, (4) is operated as a component of
4 a religious, nonprofit elementary school, (5) operates
5 primarily to provide religious education, and (6) meets
6 appropriate State or local health and fire safety standards.

7 For purposes of (a), (b), (c), (d) and (i) of this Section,
8 "children who shall have attained the age of 3 years" shall
9 mean children who are 3 years of age, but less than 4 years of
10 age, at the time of enrollment in the program.

11 (Source: P.A. 92-659, eff. 7-16-02.)

12 (225 ILCS 10/2.24 new)

13 Sec. 2.24. Partially exempt child care program. "Partially
14 exempt child care program" means a child care program that
15 provides care for less than 24 hours per day for more than 3
16 unrelated children who are 3 years old or older and is operated
17 by a private entity on the grounds of a public or private
18 elementary or secondary school. A partially exempt child care
19 program is exempt from standards related to the physical
20 facility, but must meet all other licensing standards in
21 Department rules for day care centers. The partially exempt
22 child care program must comply with applicable health and fire
23 safety standards for the school facility.